

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

HASBRO, INC.,

Plaintiff,

-against-

INFOGRAMES ENTERTAINMENT, S.A. a/k/a
ATARI, S.A.,

Defendant.

C.A. No. 09 Civ. 610 (S) (LDA)

DECLARATION OF JAMES M. PEARL

I, James M. Pearl, declare and state:

1. I am a member of the State Bar of California and am admitted to practice before the Courts of that State and the Central District of California. I am admitted *pro hac vice* to the District of Rhode Island. I am a partner of the law firm of O'Melveny & Myers LLP, counsel of record for Plaintiff and Counterclaim-Defendant Hasbro, Inc. ("Hasbro"), in the above-captioned action. I make this declaration in support of Hasbro's Motion to Compel Production of Documents Responsive to Hasbro's First Request for the Production of Documents. I have personal knowledge of the matters stated herein, and I could and would testify competently to them if called as a witness.

2. Attached hereto as Exhibit 1 is a true and correct copy of Hasbro's First Request for Production of Documents to Atari, S.A. ("Atari"), served on September 15, 2010.

3. Attached hereto as Exhibit 2 is a true and correct copy of Atari's Responses and Objections to Hasbro's First Request for the Production of Documents, served on October 18, 2010.

4. On Monday, October 29, 2010, I participated in a lengthy "meet and confer" conference call with counsel for Atari concerning, among other things, Atari's Responses and

Objections to Hasbro's First Request for the Production of Documents. Attached hereto as Exhibit 3 is a true and correct copy of my November 8, 2010 letter to Atari's counsel, Mr. Herbert C. Ross, memorializing the parties' October 29, 2010 conference call.

5. On November 16, 2010, I participated in a second meet and confer conference call with Atari's counsel concerning Atari's Responses and Objections to Hasbro's First Request for Production of Documents. Attached hereto as Exhibit 4 is a true and correct copy of a November 30, 2010 letter from Atari's counsel, Mr. Herbert C. Ross, memorializing certain aspects of the parties' November 16, 2010 conference call.

6. Attached hereto as Exhibit 5 is a true and correct copy of my December 20, 2010 letter to Atari's counsel, Mr. Herbert C. Ross, responding to his November 30, 2010 letter.

7. Attached hereto as Exhibit 6 is a true and correct copy of a September 9, 2008 press release by Atari titled, "Infogrames Entertainment and Namco Bandai Games Europe to Establish a Strategic Partnership."

8. Attached hereto as Exhibit 7 is a true and correct copy of a December 22, 2008 press release by Atari titled, "Appointment of Jackie Fromion as Head of the Newly Formed Distribution Entity."

Executed in Los Angeles, California on this 23rd day of December, 2010.

By: 
James M. Pearl